
Colonial Legacy of Conversion Laws and its Influence on Modern Indian Secularism

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Abstract

British policies of non-interference shaped laws on religious conversion in India during the colonial period. Today, the conflict between individual religious belief and the need for social order continues to present challenges to Indian secularism. This study outlines the development of laws on conversion, beginning with the British non-interference policies and the Caste Disabilities Removal Act of 1850, progressing through the anti-conversion laws of the princely states, and ending with the post-independence state 'Freedom of Religion' Acts.¹ The study argues that colonial laws have a mixing element of strict evangelicalism, administration pragmatism, and later, a form of protectionism for the majoritarian population in the native states. These laws rigidified religious pluralism and communal identities. The laws still have a bearing on the contemporary understanding of Article 25 of the Constitution, the case of *Rev. Stanislaus v. State of Madhya Pradesh*² and the debates on secularism of **Sarva Dharma Sambhava**, as opposed to a 'principled distance'. This study of Indian secularism, examines colonial and post-colonial India, and the social problems that have colonial roots, of social inequality and religious domination and the protection of religious pluralism. This research advocates social and legal reforms, to address the root causes, of religious domination, social and economic deprivation.

Keywords: Colonial legacy, religious conversion, anti-conversion laws, Indian secularism, Caste Disabilities Removal Act, Article 25, princely states, communalism, freedom of religion

Introduction

The relationship between religion, law, and state power in India has deep historical roots, particularly in the colonial encounter that fundamentally reshaped social identities and legal frameworks.

¹ Manoj Mitta *Caste Struggle in India: A Legal History* available at: <https://www.newsclick.in/caste-struggle-india-legal-history> (Visited on May 12, 2024) The Caste Disabilities Removal Act, 1850, also known as the Lex Loci Act, was enacted by the British East India Company to protect the inheritance rights of individuals who converted from Hinduism to other religions, particularly Christianity. Under traditional Hindu and customary laws, renouncing one's religion or being outcasted resulted in the immediate forfeiture of ancestral property. To facilitate Christian missionary conversions and establish a uniform legal framework, the colonial government intervened. The Act legally abolished any traditional laws or usages that inflicted a forfeiture of rights or property due to a change of religion or loss of caste, fundamentally altering traditional social structures

² AIR 1977 SC 908

Religious conversion fired up British India's social and political fabric like no other colonial issue. British India grappled with the social fabric of conversion, colonial property laws, and caste relations in the context of conversion and religious communities. British colonial conversion policies were mainly opportunistic. They would implement conversion policies only after the British mission defended the laws and the local and indigenous backlash to the mission and the laws. The British East India Company retained a policy of opportunistic non-interference. With the Charter Act of 1813, Indian colonial law entered a Protestant missionary and conversion policy framework. These colonial interventions trespassed Islamic and Hindu laws on conversion. Apostasy would entail social (including caste and community) and inheritance disabilities. To balance colonial missionary and evangelical governance, colonial officials introduced the Caste Disabilities Removal Act of 1850.³ This Act rescinded caste disabilities on disinheritance and endowed civil rights, in liberal colonial fashion. Such laws, however, were perceived by many as damage original social structures and encouraging religious defections, thereby heightening communal tensions.⁴

In princely states, which enjoyed nominal autonomy under indirect British rule, conversion assumed even sharper political dimensions. Alarmed by missionary successes among lower castes and tribal populations seeking social mobility, several rulers enacted their own anti-conversion laws in the 1930s and 1940s. Acts such as, the Raigarh Conversion Act of 1936, the Surguja Apostasy Act of 1942, and the Udaipur Anti-Conversion Act of 1946 prohibited conversions through force, fraud, or inducement, primarily to safeguard Hindu religious identity and demographic majorities.⁵ The Act, in part, responded to local laws on conversion. However, the Act was crafted in a colonial environment where religion was the basis of Lawson's community and where communal boundaries and identities were further politicized. This environment precipitated the demand for separate electorates, and later, the partition.⁶ The Act and colonial conversion policies were not neutral administrative policies. They actively created polarized and caste-based communities and social fault lines in India.⁷ Far from being neutral administrative tools, colonial-era conversion regulations and their princely counterparts actively contributed to the construction of fixed religious communities, creating enduring fault lines in India's social fabric.⁸

The colonial legacy continues to exercise a profound influence on the secular framework of India since independence. The constitutional guarantee of the right to profess, practice and propagate religion under Article 25 reflects the inherited tensions between individual freedom and stability of the community. Post-1947, some states adopted "Freedom of Religion" Acts, akin to the princely state precedents, governing conversions and subject to official review. The scope of propagation has been further narrowed by judicial interpretation, especially in *Rev.*

³ *Caste Disabilities Removal Act, 1850*, Act XXI of 1850

⁴ Marc Galanter, 'Caste Disabilities and Indian Federalism' (1961) 3(2) *Journal of the Indian Law Institute* 268, 270.

⁵ Gauri Viswanathan, *Outside the Fold: Conversion, Modernity, and Belief* 37 (Princeton University Press, 1998).

⁶ Law Library of Congress, *State Anti-Conversion Laws in India* (Global Legal Research Directorate, 2018) 12-15.

⁷ Mou Banerjee, *The Disinherited: The Politics of Christian Conversion in Colonial India* (Harvard University Press, 2025) 45-67

⁸ *Ibid*

*Stanislaus v. State of Madhya Pradesh*⁹ to distinguish it from a right to convert. These laws are still hotly debated in modern India and are often quoted in arguments about secularism, Sarva Dharma Sambhava, equal respect for all religions. Critics argue that such regulations, while ostensibly protecting vulnerable groups from coercion, often enable majoritarian control and undermine minority rights, thereby challenging the constitutional vision of a pluralistic democracy. This paper traces these historical continuities and discontinuities to demonstrate how colonial conversion policies continue to shape the fraught terrain of Indian secularism today.¹⁰

Pre-Colonial Situation of Religious Conversion

Before British imperial dominance, missionary activity on the Indian subcontinent was largely the result of a naturally occurring, spiritually, and socially malleable synthesis. Supporters of Sufi mysticism were able to attract followers. Within Hinduism, the Bhakti and Sant movements, with their improvisational devotional styles, also facilitated the circulation of ideas across sectarian boundaries. During this period, most Mughal and non-Mughal rulers offered only sporadic support or applied direct pressure to foster religious shifts. Persuasion was also abandoned for the imposition of a system.¹¹ Ancient legal traditions do not offer the same support to conversion which some of India's modern legal codes (especially those concerning the Hindu and Muslim Personal Laws) provided.¹² Conversion from Hinduism to another faith can result in considerable loss of social and economic rights. Thus, traditional Hindu laws and customs treat conversion of faith and the social and economic identity of the community to which one belongs as one and the same. The arrival of European colonial powers implicated a more systematic, aggressive, and legally substantiated approach to missionary activities and conversion.¹³

The early 16th century Portuguese colonial conquest and settlement of Goa exemplifies this approach and, through the Goa Inquisition, formally instituted around 1560, implemented a systematic approach to missionary work.¹⁴ This institution employed coercive tactics, including the criminalization of Hindu and Muslim practices, destruction of temples, and systematic incentives for conversion to Catholicism. Non-Christians faced restrictions on worship, trade, and public life, while converts received preferential treatment in administration and property matters. Conversion under Portuguese rule was explicitly linked to political loyalty and cultural assimilation, transforming faith into an instrument of colonial consolidation.¹⁵ The Inquisition left deep psychological scars on Goan society and created a lasting historical memory of forced conversions that continues to resonate in contemporary

⁹ AIR 1977 SC 908

¹⁰ Nandkarni M V (2003), Why is religious conversion is controversial in India? Economic and Political Weekly, Vol: 38, No: 16, P: 1562-1563

¹¹ Gauri Viswanathan, *Outside the Fold: Conversion, Modernity, and Belief* 17 (Princeton University Press, 1998).

¹² Dick Kooiman, *Communalism and Indian Princely States* (Manohar, 1995).

¹³ Irfan Habib, *Medieval India: The Study of a Civilization* (National Book Trust, 2008).

¹⁴ A.K. Priolkar, *The Goa Inquisition* (Hindu Kitabs, 1961).

¹⁵ Sarah Claerhout and Jakob De Roover, 'Religious Conversion: Indian Disputes and Their European Origins' (2022) Routledge 89-112.

Indian political discourse, particularly among Hindu nationalist narratives. This early European model stood in contrast to the relatively fluid religious interactions of pre-colonial India.

British colonial policy on religion developed more slowly. The East India Company, commercially oriented, took a policy of non-interference in religion during the early years of its expansion. Missionary work was forbidden in order to prevent unrest and disruption of trade and politics. It began to change with the Charter Act of 1813, which, under pressure from British evangelical lobbies like the Clapham Sect, allowed Protestant missionaries to freely proselytize throughout British India. The Act caused a turning point and let loose a wave of organized proselytization in Bengal and southern India. Although the Company administration remained officially neutral, the legal access given to missionaries allowed them unprecedented access to Indian society through education, medicine, and charity.

Real conversions among Christians were rare; Christians were fewer than 1.5% of the population in the 19th century.¹⁶ However, the symbolic and social impact of missionary work was far more significant. Missionaries targeted lower castes, Dalits, and tribes for conversion, providing routes to upward mobility, literacy and escape from caste hierarchies. These conversions were the cause of severe backlash from the upper-caste Hindu and Muslim elite. This phenomenon, sometimes referred to as “conversion panic,” increased communal awareness. In Bengal and elsewhere, inheritance and caste issues, as well as family relationships with converts, became politicized. The anxieties generated by these conversions helped to spawn Hindu reform movements like the Arya Samaj and its Shuddhi (purification) campaigns for the conversion of Muslims to Hindus.¹⁷

The colonial period also saw reactive legislation in princely states, which had nominal autonomy under indirect British rule. Several rulers promulgated anti-conversion laws during the 1930s and Prominent examples include the Raigarh State Conversion Act, 1936, the Surguja State Apostasy Act, 1942, and the Udaipur State Anti These laws generally allowed conversions induced by force, fraud, or material allurements, but often subjected conversions of Scheduled Castes and Tribes to stricter scrutiny. Scholars argue that these measures were part of the general crystallization of religious identities taking place under colonial modernity. The British policy of doctrinal secularism created a contradictory duality of proclaiming secular non-interference in personal laws while covertly promoting missionary activities. This tension planted the seeds of communal polarization that shaped late colonial politics and left a lasting imprint on India’s post- independence secularism.

Colonial rulers used crafty deception to destroy people's dreams across the Indian subcontinent, and Indian leaders, whether knowing or not, frequently fell into British traps.¹⁸ Abhinav Chandrachud provides a careful assessment of how the cow slaughter controversy unfolded

¹⁶ Sarah Claerhout and Jakob De Roover, ‘Religious Conversion: Indian Disputes and Their European Origins’ (2022) Routledge 89-112.

¹⁷ Kenneth W. Jones, *Arya Dharm: Hindu Consciousness in 19th-Century Punjab* 59 (University of California Press, 1976).

¹⁸ Abhinav Chandrachud *Republic of Religion: The Rise and Fall of Colonial Secularism in India* 73 (Penguin Viking, 2020)

during colonial and postcolonial periods, altering power and authority dynamics in complicated ways. The British authority went so far as to select senior priests in key temples such as the Jagannath Temple in Puri, delving heavily into religious concerns.¹⁹ They avoided behaviors that did not threaten their rule, but they did levy pilgrim charges to generate revenue and occasionally sponsored religious site renovations. Courts were crucial to resolving conflicts, with the colonial administration maintaining oversight through legislation based on English standards. In March 1947, Ambedkar drafted provisions on fundamental rights that included an establishment clause, like the US First Amendment, declaring that the state would not recognize any religion as official.²⁰ After prolonged debates and revisions, however, the Constituent Assembly finalised the Constitution without incorporating such a clause.

The British never meddled in the customs of the subjugated, which pushed the idea of a Uniform Civil Code far into the future by following the example of the Romans. There were codes for all of us: contracts, evidence, and criminals. But personal laws were always tied to religion and it was always a problem. The author tells the story of how the concept of a uniform civil code originated in England before he talks about Warren Hastings who had religion-based family laws and Macaulay who believed in separate laws for Hindus and Muslims. Halhed, Cornwallis, Carey, Minto, Wilberforce, Dwarkanath Tagore, Ram Mohan Roy, and Bentinck were part of the process that slowly separated personal law from religion. The colonial government moved forward sometimes, and backward sometimes. Orthodox Hindus were traditionalists, while Muslims stuck to Shariat, which prevented religion from hindering a truly secular legal system. The constitution makers had a hard time. We couldn't make the Uniform Civil Code. The book argues that India witnessed more secular functioning under colonial administration than in the years that followed, even though secularism was introduced in India somewhat artificially. It traces the unravelling of the early promise of a secular India long before the rise of the Hindu right, as Indian leaders sought to distance themselves from the secularism of colonial rule. This is a detailed work highly recommended for anyone seriously interested in research, history or politics who wants to understand the complex transition of India from secularism in the colonial period to a Constitution that enshrines secularism as a core and basic feature of the republic.

Legislation during British Period

The Caste Disabilities Removal Act of 1850 was considered as a main colonial intervention in India. This law abolished the loss of property or rights that came with renouncing one's religion or losing your caste. In practice, it made sure converts (especially Christians) were still entitled to their inheritance.²¹ The Act was created by the Lex Loci Report of the First Law Commission in 1840, which tried to introduce English substance law as the law of the land in mofussil areas for those who were not governed by Hindu or Muslim personal laws. I still have my own laws for everything, except when it comes to converts, they're protected. British motivations blended liberal imperial ideals of individual rights with practical administrative goals: facilitating

¹⁹ Ibid

²⁰ Ibid

²¹ Caste Disabilities Removal Act, 1850 (Act XXI of 1850).

missionary activity, ensuring converts faced no economic penalty, and reducing property disputes that arose from ambiguous legal status.

Historians have called them double-edged swords. They kept converts from economic ruin. On the other hand, orthodox Hindu communities saw them as disruptors of society and encouragers of apostasy. Young converts and religious disputes caused trouble in Bombay and Bengal in the nineteenth century. The British government had to balance missionary sympathies with the need to control their colonial territory, especially after the 1857 Revolt.²² Queen Victoria's 1858 Proclamation promised not to interfere with any religion, but really supported Christianity because of the schools and laws.²³ This was because the colonial government wanted to be neutral, but at the same time it wanted to convert them by law.

Princely states, still under British rule, reacted differently. Since the 1930s through the 1940s, rulers passed laws to prevent conversion. Raigarh's Conversion Act of 1936,²⁴ Surguja's Apostasy Act of 1942,²⁵ and Udaipur's Anti-Conversion Act of 1946²⁶ each prohibited conversions effected by force, fraud, or inducement. These statutes represented indigenous elite reactions to perceived threats from British-protected missionaries and sought to safeguard majority religious demographics within their territories. These princely state laws constitute a direct historical precursor to modern anti-conversion legislation in India. They demonstrate that restrictions on religious conversion were not solely British inventions but emerged from complex interactions between colonial indirect rule and native ruling classes asserting cultural sovereignty through legal means.²⁷

British Policies in India and Missionary Activities

Missionary activities deeply intertwined with education and governance in colonial India, creating layers of complexity and suspicion. Following the 1857 Revolt, when the British Crown took direct control, the administration adopted an official policy of religious neutrality, while in practice, it allowed private missionary activity to grow. There was strong Indian perception of favoritism to Christianity through government support of mission-run schools through grants and patronage. This partiality helped Hindu and Muslim revivalist movements to counter Christian influence.²⁸ One such example was the Arya Samaj, which actively undertook shuddhi ceremonies to purify and reconvert people who had converted to other religions, especially Christianity or Islam.²⁹ The counter-movements used similar organizational strategies and proselytizing techniques as the missionaries, which ultimately widened divisions and hardened boundaries between religious communities instead of fostering

²² Queen's Proclamation, 1858.

²³ Ibid

²⁴ *Raigarh State Conversion Act, 1936* (Raigarh State Gazette).

²⁵ *Surguja State Apostasy Act, 1942* (Surguja State)

²⁶ *Udaipur State Anti-Conversion Act, 1946* (Udaipur State).

²⁷ See R. Jeffrey, "The Politics of the Princely States" in *The Indian National Congress and the Politics of the 1930s* (Oxford University Press).

²⁸ *Charter Act, 1813*, 53 Geo. III, c. 155.

²⁹ Kenneth W. Jones, *Arya Dharm: Hindu Consciousness in 19th-Century Punjab* (University of California Press, 1976) 120-145

harmony. What emerged was a competitive atmosphere of religious assertion that transformed fluid cultural practices into more rigid communal identities.³⁰

In addition, colonial policies on conversion helped to invent or solidify distinct religious identities across the subcontinent. Starting from the first decennial census in 1871, the British began to classify people systematically into fixed religious categories³¹ and apply personal laws differently on the basis of one's faith, reinforcing the idea of India as a patchwork of separate and unchanging religious blocs.³² Conversions challenged this carefully ordered system, unsettling the demographic and legal stability on which personal laws depended and often provoking disputes over inheritance, marriage and social status.³³ The Lex Loci Report and the Caste Disabilities Removal Act of 1850 are examples of initiatives that revealed the strong tensions between the universal legal principles based on English law and the specific requirements of religious customs.³⁴ Even indirect support of missionary efforts, such as the shuddhi campaigns of Arya Samaj and the defensive organizations of Muslims, led to corresponding reformist reactions among Hindus and Muslims, leading to ever-increasing cycles of competitive evangelism. This religious ferment exerted a profound influence on the politics of the late colonial period when claims of faith were central to the demands for separate electorates, when it sharpened communal tensions and finally played a decisive role in the tragedy of Partition.³⁵ Christian converts were often sidelined in mainstream nationalist narratives, seen with suspicion as extensions of the colonial influence, and thus reinforcing majoritarian undercurrents within the freedom struggle. British policy after 1857 was to become more cautious, so as not to provoke overt antagonism, but the legal structures protecting converts and regulating personal status remained largely intact.³⁶ These unresolved ambiguities, along with the hardened communal frameworks, were inherited by independent India, continuing to influence debates on secularism, personal laws, and national identity long after the end of colonial rule.³⁷

Constitutional Assembly Debates on Conversion

Debates in the Constituent Assembly regarding conversion show how India's founders were constrained by colonial legacies and how they had to work to make the new republic secular. Rather than using the strict separation of religion and state seen in some western countries, the Assembly decided to use the approach of *sarva dharma sambhava*, which is equal regard for all religions.³⁸ This approach can be seen in Article 25 of the Constitution. This Article grants all citizens freedom of conscience, and the right to profess and practice and even propagate their religions. However, this right is subject to reasonable restrictions for the maintenance of public

³⁰ J.T.F. Jordens, *Dayananda Saraswati: His Life and Ideas* (Oxford University Press, 1978).

³¹ Warren Hastings, Judicial Plan of 1772 (Regulation of Personal Laws).

³² Laura Dudley Jenkins, 'Legal Limits on Religious Conversion in India' (2008) 71 *Law and Contemporary Problems* 109, 115

³³ Census of India reports, 1871–1941; also, Sumit Sarkar, *Modern India: 1885–1947* (Macmillan, 1983).

³⁴ *Lex Loci Report of the First Law Commission* (1840) 45-48.

³⁵ Rajeev Bhargava, *The Promise of India's Secularism* (Permanent Black, 2018) 112-130.

³⁶ Christophe Jaffrelot, *The Hindu Nationalist Movement in India* (Columbia University Press, 1996) 45-67.

³⁷ Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford University Press, 1966).

³⁸ Constituent Assembly of India, *Debates*, Vol. VII (6 December 1948) 831-845 (Intervention by Lokanath Misra).

order and for the protection of the moral and physical health of the community.³⁹ The use of the word “propagate” was controversial. Many members voiced that it would enable many people to convert others, including using inducements, which would upset the social equilibrium of a religious and heterogeneous society.⁴⁰ It was also argued that even though persons have the right to practice their religion, the propagation of that religion may cause the colonial style of aggressive mission to be re-enacted. It was argued that the right to share beliefs in the practice of religion was passive missionary activity.

After a lot of debate, the word was kept, demonstrating a choice to defend the individual right and trust the future Assemblies and courts to create necessary limits. Dr. B.R. Ambedkar and many other progressive voices in the Assembly saw conversion not merely as a religious act but as an essential tool of social emancipation, especially for the Dalits and other oppressed communities.⁴¹ They looked to the experience of the colonial era, when Christian missions offered avenues of education, dignity, and escape from the rigid hierarchies of caste. Even Ambedkar himself had publicly considered mass conversion as a way to escape from untouchability and this was subtly reflected in the constitutional approach. There were strong fears about forced, fraudulent or materially induced conversions, which were based on the memory of colonial missionary strategies. Thus, the Constitution did not ban conversions wholesale but deliberately left room for regulation by the state when public interest demanded it. This fragile equilibrium was a reflection of the Assembly’s attempt to respect individual freedom, without losing sight of the ground realities of the power imbalance and social vulnerability. In the early years of independence, attempts were made to bring a national anti-conversion law. The Indian Conversion Bill of 1954 which aimed to regulate conversions by force, fraud or allurement was finally not passed, reflecting the same reservations and divisions that characterised colonial legislative debates on similar issues. These early efforts highlighted the continuing tension between the constitutional promise of religious freedom and the political anxiety over preservation of India’s composite social fabric. This unresolved debate meant that questions of conversion would continue to be a source of controversy in independent India, affecting laws, politics and public discourse for decades to come.

Modern Laws on Conversion

From the late 1960s, Indian states began enacting 'Freedom of Religion' Acts, largely to control religious conversions. Odisha was the first with its law in 1967, followed by Madhya Pradesh in 1968. Other states include Arunachal Pradesh (1978), Gujarat,⁴² Himachal Pradesh,⁴³ and more recently, Uttar Pradesh,⁴⁴ and Karnataka.⁴⁵ Generally, these laws prohibit forced, fraudulent, or induced conversions. Many of these laws require notification to district officials

³⁹ Constituent Assembly Debates, Vol. VII (1948–49).

⁴⁰ Ibid

⁴¹ B.R. Ambedkar’s writings on conversion, including *Annihilation of Caste*.

⁴² *Gujarat Freedom of Religion (Amendment) Act, 2003*

⁴³ *Himachal Pradesh Freedom of Religion Act, 2006*, Act 19 of 2007.

⁴⁴ *Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021*, Act 28 of 2021

⁴⁵ *Karnataka Right to Freedom of Religion Act, 2021*, Act 42 of 2021.

or permission before a conversion, and impose greater penalties for converting minors, women, and members of the Scheduled Caste and Scheduled Tribe communities. Some of these laws even provide for exemptions for reconversions to one's 'original' faith.⁴⁶ The laws have a resemblance to colonial laws and regulations of the princely states, where laws were enacted to control missionary activities and respond to unwanted changes in demographics. The Supreme Court, through its decision in *Rev. Stanislaus v. State of Madhya Pradesh*⁴⁷ in 1977, legitimized these laws. The case established that merely propagating a religion was not a right to convert, and that religion could be propagated only in a non-coercive manner. The critique of the case has been that the Court has limited constitutional freedoms when the intent was to broaden the scope of freedoms in the context of the implementation of these laws. These laws have been implemented to target the Christian and Muslim communities of India. Accusations are frequently made with weak evidence, leading to harassment, arrests, and rising communal tensions.⁴⁸ Some states like Uttar Pradesh and Karnataka have added provisions targeting "love jihad," linking conversion with marriage, which has further intensified public debate and legal challenges.⁴⁹

Indian secularism struggles to shake off colonialism. Religion-based personal laws and the Uniform Civil Code only existing as a Directive Principle show the British policy of non-interference. It brings accusations of minority appeasement and majoritarian pushback. First, the anti-conversion laws reflect the reality of controlling religions that dominate marriage, inheritance, and family relations. These laws control the entry into and exit from these religions. They, too, reflect the majoritarian drive in Indian politics, in the old rhetoric of the protection of the Hindu identity, of the former princely states. Supporters of these legal provisions defend the laws as secular, protecting Indian secularism from the intrusion of foreign religions. Critics of these legal provisions contend that these laws violate liberal secularism and provide the State with the tools to violate individual autonomy and personal faith. Second, this colonial legacy sustains social and political division in India. British colonial census and the legal framework of the colonies set rigid religion boundaries that today's laws on conversion are doing, especially to Islam and Christianity. It disproportionately impacts Dalits and Adivasis, who escape caste oppression through conversion, as proven in colonial accounts and continue to be true today. The Supreme Court of India is evolving its legal framework, but the political environment shows the major contradiction of Indian secularism.⁵⁰ The failure to tackle primary socio-economic factors that drive conversions keeps alive cycles of suspicion and mistrust first planted during the colonial period, making conversion a persistent litmus test for the health of India's secular republic.⁵¹

⁴⁶ Odisha Freedom of Religion Act, 1967; Madhya Pradesh Act, 1968; Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021.

⁴⁷ AIR 1977 SC 908

⁴⁸ S. Claerhout, 'Religious Freedom and the Limits of Propagation' (2019) 10(3) *Religions* 157.

⁴⁹ Ibid 42

⁵⁰ *Rev. Stanislaus v. State of Madhya Pradesh*. AIR 1977 SC 908

⁵¹ Human Rights Watch and PUCL on anti-conversion laws.

Conclusion

India's secularism shows the influence of the colonial conversion laws. These laws were made by the British to stop them from interfering with their control over communities. These laws were meant to stop fake, forced, and fraudulent religious conversions. These laws were meant to protect the weak, especially women and children. Unfortunately, these laws are used to promote majoritarianism and are used to harass and intimidate people and limit their personal freedoms. From the erstwhile princely states to the current 'Freedom of Religion' laws, India has made little progress from colonial laws. These laws claim to espouse secular values, but the neutrality of these laws is most often violated. The choice of religion has become a political means of expressing a secular state, rather than a personal choice. Regulation is needed to prevent abuse, but it must not turn into a tool for dominance or block genuine spiritual choice.

Secularism in India needs some honest change. The state is called to make unambiguous and stringent laws to prevent religious fraud, the promotion of religion by undue influence, and the solicitation of religion. The state should ensure the laws remain free from the politics of religious identity. The society on the other hand, should address the root causes of exclusion and deprivation, including caste and poverty, which compel many Dalits, Adivasis, and others, to seek religious conversions for a more dignified and improved existence. Britain perceived Indian society through the lens of fixed and separate religious groups. However, we need to